

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4303

IN THE MATTER OF:

Served May 23, 1994

Application of AHMED A. OSMAN,)
Trading as UNI-CARE TRANS, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-94-23

By application filed May 18, 1994, Ahmed A. Osman, trading as Uni-Care Trans (Uni-Care or applicant), a sole proprietor, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

The application includes information regarding, among other things, applicant's facilities, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

Applicant proposes commencing operations with a van seating 10 passengers or less. Applicant's proposed tariff contains per capita rates for Medicaid and private pay transportation.

The District of Columbia Department of Human Services (DHS) amended the fee scale for wheelchair van service on May 11, 1994. Applicant should be aware that a carrier may not charge a rate or fare for transportation under the Compact unless it is specified in that carrier's tariff on file with this Commission. If applicant proposes to collect DHS's new wheelchair van service fees, applicant should file an original and four copies of an amended proposed tariff conforming to the fee scale established in Transmittal #94-18, issued May 11, 1994, by DHS, Commission on Health Care Finance.

In determining whether to grant or deny an application for a certificate of authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform the transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of Uni-Care's application for a certificate of authority.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than June 2, 1994, notice in the form prescribed by the staff of the Commission.

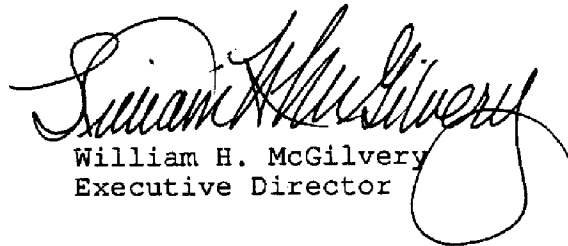
2. That applicant shall file with the Commission, no later than June 23, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That if applicant proposes to collect DHS's new wheelchair van service fees, applicant should file with the Commission, no later than June 2, 1994, an original and four copies of an amended proposed tariff conforming to the fee scale established in Transmittal #94-18, issued May 11, 1994, by DHS, Commission on Health Care Finance.

4. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than June 23, 1994, and shall simultaneously serve a copy of such protest or comment on applicant, Ahmed A. Osman, trading as Uni-Care Trans, 910 Benson Terrace, Silver Spring, MD 20901.

5. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than June 23, 1994, and shall simultaneously serve a copy of such request on applicant, Ahmed A. Osman, trading as Uni-Care Trans, 910 Benson Terrace, Silver Spring, MD 20901.

FOR THE COMMISSION:


William H. McGilvery
Executive Director